

# **THE POLICY DECISION PROCESS OF THE ISLAMIC REPUBLIC OF IRAN: THROUGH A GLASS DARKLY**

**A Monograph  
by  
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**AY 06-07**

<b>REPORT DOCUMENTATION PAGE</b>			Form Approved OMB No. 0704-0188	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. <b>PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.</b>				
<b>1. REPORT DATE (DD-MM-YYYY)</b> 18-05-2007		<b>2. REPORT TYPE</b> AMSP Monograph		<b>3. DATES COVERED (From - To)</b> July 2006 - May 2007
<b>4. TITLE AND SUBTITLE</b> The Policy Decision Process of the Islamic Republic of Iran: Through a Glass Darkly			<b>5a. CONTRACT NUMBER</b>	
			<b>5b. GRANT NUMBER</b>	
			<b>5c. PROGRAM ELEMENT NUMBER</b>	
<b>6. AUTHOR(S)</b> MAJOR William Phillips (U.S. Army)			<b>5d. PROJECT NUMBER</b>	
			<b>5e. TASK NUMBER</b>	
			<b>5f. WORK UNIT NUMBER</b>	
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Advanced Military Studies Program 250 Gibbon Avenue Fort Leavenworth, KS 66027-2134			<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>	
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> Command and General Staff College 1 Reynolds Avenue Fort Leavenworth, KS 66027			<b>10. SPONSOR/MONITOR'S ACRONYM(S)</b> CGSC	
			<b>11. SPONSOR/MONITOR'S REPORT NUMBER(S)</b>	
<b>12. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for Public Release; Distribution is Unlimited				
<b>13. SUPPLEMENTARY NOTES</b>				
<b>14. ABSTRACT</b> <p>The Islamic Republic of Iran remains defiant to the United Nations Security Council Resolution (UNSCR) 1696 which demands that "Iran suspend all nuclear enrichment-related and reprocessing activities, including research and development." Iranian President Mahmoud Ahmadinejad has repeatedly said that Iran's nuclear activities are for peaceful purposes and that, as a sovereign country, Iran has the right to pursue nuclear energy. President Ahmadinejad stated Iran would not stop its nuclear program despite the threat of increasing isolation and international sanctions. Iran has been given numerous opportunities and deadlines to prove to the international community that their nuclear production actions are legitimate according to international laws, treaties and the International Atomic Energy Agency (IAEA). Yet, Iran has barred all inspection efforts by the IAEA. This defiance of international norms in connection with the possible acquisition of nuclear weapons represents a threat to the interests of the US and its allies and friends in the region. Many have offered numerous ways to possibly to rectify this problem which includes regime change through supporting Iranian opposition groups and conducting limited air strikes on Iran's nuclear production facilities. However, there is no guarantee that these actions will bring about the immediate and long standing result that is required. Perhaps the wisest thing for strategists and planners to do before embarking upon any course of action towards Iran is to analyze Iran's complex political system in order to understand the functionality of the government's policy decision-making process. Iran's political system includes the president, cabinet members, Supreme Council of National Security, 290-member Parliament, head of judiciary and most importantly the Supreme Leader, Council of Experts, Guardian Council, Expediency Council, Internal Security Forces, Islamic Revolutionary Guards Corps, and Regular Armed Forces. Additionally, these system components are impacted by the informal political system which includes: hardliners, conservatives, and reformers. Each of these institutions and groups exercise significant influence in the development, approval, and the execution of government policy. By understanding Iran's policy decision process and the components of the complex political system strategists and planners could identify better ways to influence the Iranian regime to change its policy toward nuclear activities and to abide by the United Nations Security Resolutions. However, the challenge to understand the Iranian government's decision-making process is formidable and will demand of policy makers that they get beyond strategic ethnocentrism.</p>				
<b>15. SUBJECT TERMS</b> <p>Iran, Iranian Government, Iranian Constitution, Iranian Political System, Islamic Republic of Iran, Iranian Policy Decision Process, Iranian governmental policy decisions, Mahmoud Ahmadinejad, Supreme Leader, Ayatollah Khomeini, Ayatollah Khamenei</p>				
<b>16. SECURITY CLASSIFICATION OF:</b>			<b>17. LIMITATION OF ABSTRACT</b>  UNLIMITED	<b>18. NUMBER OF PAGES</b>  40
<b>a. REPORT</b> UNCLASS	<b>b. ABSTRACT</b> UNCLASS	<b>c. THIS PAGE</b> UNCLASS		
			<b>19a. NAME OF RESPONSIBLE PERSON</b> Kevin C.M. Benson, COL, US Army <b>19b. TELEPHONE NUMBER (include area code)</b> 913-758-3302	

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## **Abstract**

The Policy Decision Process of the Islamic Republic of Iran: Through a Glass Darkly, by Major William Phillips, USA, 40 pages.

The Islamic Republic of Iran remains defiant to the United Nations Security Council Resolution (UNSCR) 1696 which demands that “Iran suspend all nuclear enrichment-related and reprocessing activities, including research and development.” Iranian President Mahmoud Ahmadinejad has repeatedly said that Iran’s nuclear activities are for peaceful purposes and that, as a sovereign country, Iran has the right to pursue nuclear energy. President Ahmadinejad stated Iran would not stop its nuclear program despite the threat of increasing isolation and international sanctions.

Iran has been given numerous opportunities and deadlines to prove to the international community that their nuclear production actions are legitimate according to international laws, treaties and the International Atomic Energy Agency (IAEA). Yet, Iran has barred all inspection efforts by the IAEA. This defiance of international norms in connection with the possible acquisition of nuclear weapons represents a threat to the interests of the US and its allies and friends in the region.

Many have offered numerous ways to possibly to rectify this problem which includes regime change through supporting Iranian opposition groups and conducting limited air strikes on Iran’s nuclear production facilities. However, there is no guarantee that these actions will bring about the immediate and long standing result that is required.

Perhaps the wisest thing for strategists and planners to do before embarking upon any course of action towards Iran is to analyze Iran’s complex political system in order to understand the functionality of the government’s policy decision-making process. Iran’s political system includes the president, cabinet members, Supreme Council of National Security, 290-member Parliament, head of judiciary and most importantly the Supreme Leader, Council of Experts, Guardian Council, Expediency Council, Internal Security Forces, Islamic Revolutionary Guards Corps, and Regular Armed Forces. Additionally, these system components are impacted by the informal political system which includes: hardliners, conservatives, and reformers. Each of these institutions and groups exercise significant influence in the development, approval, and the execution of government policy.

By understanding Iran’s policy decision process and the components of the complex political system strategists and planners could identify better ways to influence the Iranian regime to change its policy toward nuclear activities and to abide by the United Nations Security Resolutions. However, the challenge to understand the Iranian government’s decision-making process is formidable and will demand of policy makers that they get beyond strategic ethnocentrism.

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# **The Policy Decision Process of the Islamic Republic of Iran: Through A Glass Darkly**

## **INTRODUCTION**

In his recent book on Iran as a security challenge to the United States, Kenneth Pollack, well-known Middle East expert and former CIA analyst, notes the deep-rooted hostility between Washington and Tehran and the pressing security issues that demand resolution--Iranian assistance to terrorists, Iran's intervention in the Iraqi civil war, and the looming threat of Iran's acquisition of nuclear weapons. Pollack does not see much viability in various military options and rejects regime change as a suitable policy to deal with this complex set of issues. He recommends hard diplomacy or soft power to influence the Iranian government to change its policies. At the same time he warns that such diplomacy will not be easy. Without diplomatic relations since the Iranian Revolution, American civil and military policy-makers need to know a great deal about Iran's history as a civilization dating back to the Persian Empire, its unique place as a Shia state and society in the Middle East, and the Iranian collective memory of being a pawn among imperial powers for the last century and a half. Pollack goes on to warn those that take up the challenge of seeking to influence Tehran: "Iran is a maddeningly complicated state and society, and even a cursory understanding of its motives today requires knowing a fair bit about the forces that have shaped the nation over time."<sup>1</sup> This daunting task, if it is to defuse the most critical axes of US-Iranian conflict, will need to address the challenge of identifying the key nodes in Iranian decision-making in order to make the application of "hard diplomacy" work. The first topic for consideration is who should the US seek to influence on the vexing question of Iran's nuclear program. And this task certainly got harder with the election of Mahmoud Ahmadinejad as President in June 2005.

The Islamic Republic of Iran remains defiant to the United Nations Security Council Resolution (UNSCR) 1696 which demands that "Iran suspend all nuclear enrichment-related and

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<sup>1</sup>Kenneth Pollack, *The Persian Puzzle: The Conflict between Iran and America* (New York, NY: Random House, 2004), 2-4.

reprocessing activities, including research and development.”<sup>2</sup> Iranian President Mahmoud Ahmadinejad has repeatedly said that Iran’s nuclear activities are for peaceful purposes and that, as a sovereign country, Iran has the right to pursue nuclear energy. In a recent New York Times article, President Ahmadinejad stated that to have vowed that Iran would not stop its nuclear program despite the threat of increasing isolation and international sanctions.<sup>3</sup> Although Ahmadinejad claimed that his country is willing to talk about the issue, perhaps to appease supporters in the international community, he has also directed the country’s military to carry on missile tests and programs.<sup>4</sup> In addition to President Ahmadinejad, Ali Larijani, Iran’s top negotiator and Ayatollah Khamenei, the country’s Supreme Leader, have also endorsed Iran’s official position on the nuclear issue. He has also stated that Iran would never use enriched uranium to make a bomb.<sup>5</sup> Although Ayatollah Khamenei has supported Iran’s nuclear program long before Ahmadinejad ever came on the scene, he solidified his position on the nuclear issue in February 2007 when he visited Russia to discuss various bilateral issues, including the nuclear power plant in Bushehr being built by Russia’s MINATOM, and the international situation surrounding Iran’s nuclear problem.<sup>6</sup> While in Russia, the Supreme Leader stated that Iran would continue its nuclear program. Iran’s actions under its nuclear policy are of great concern to the US and the international community--not because of Iran’s proclaimed right to pursue nuclear energy for the country under the Non-Proliferation of Nuclear Weapons Treaty (NPT), but because the US and others in the international community fear that Iran is also operating a clandestine nuclear weapons program. Iran has been given numerous opportunities and deadlines to prove to

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<sup>2</sup>United Nations, Security Council/SC 8792, Security Council Demands Iran Suspend Uranium Enrichment by 31 August, or Face Possible Economic, Diplomatic Sanctions, 31 July 2006; available from <http://www.un.org/News/Press/docs/2006/sc8792.doc.htm>; Internet; accessed on 9 May 2007.

<sup>3</sup>Nazila Fathi Contributing reporting by William J. Broad, New York and Judy Dempsey, Munich., “Iran’s Leader Pulls Back from Announcing ‘Good News’ on Nuclear Program,” *New York Times*; 12 February 2007, A8, 8.

<sup>4</sup>Laiyila Sharazi, UN Resolution Not to Affect Iran’s Nuclear Policies: Ahmadinejad, *Pakistan Times*; available at <http://www.pakistantimes.net/2007/01/22/top7.htm>; Internet; accessed on 12 February 2007.

<sup>5</sup>“Defying the United Nations,” *Economist*; 382, no. 8517 (22 February 2007): 60-60, 1/3.

<sup>6</sup>The Russian News Room, Homepage; available from [http://www.russiannewsroom.com/content.aspx?id=10479\\_Politics&date=2007-2-7](http://www.russiannewsroom.com/content.aspx?id=10479_Politics&date=2007-2-7); Internet; accessed on 2 April 2007.

the international community that their nuclear production actions are legitimate according to International Atomic Energy Agency (IAEA) and other international laws and treaties. Yet, Iran has barred all inspection efforts by the IAEA. These actions arouse suspicion that Iran is violating the NPT. For instance, According to the Arms Control Association (ACA),<sup>7</sup> Iran's nuclear programs; the International Atomic Energy Agency (IAEA) has discovered a series of clandestine nuclear activities, some of which violated Iran's safeguards agreement with the agency.<sup>8</sup> This defiance of international norms in connection with the possible acquisition of nuclear weapons represents a threat to the interests of the US and its allies and friends in the region.

What to do about Iran's defiance and covert weapons program has been a topic of much debate among policymakers and analysts. Michael D. Evans and Alireza Jafarzadeh<sup>9</sup> provide two possible solutions for the Iranian nuclear problem. Evans, in his book, *Showdown with Nuclear Iran*, suggests that one course of action is to conduct a limited conventional actions against Iran, consisting primarily of an air attack combined with Special Forces Operations on the ground. A further escalation of the response, according to the author, to a full-scale invasion could only follow an official US predetermination that regime change has become official US foreign policy with regard to Iran.<sup>10</sup> Evans' course of action embraces a preemptive attack to destroy Iran's

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<sup>7</sup>A national nonpartisan membership organization dedicated to promoting public understanding of and support for effective arms control policies. Through its public education and media programs and its magazine, *Arms Control Today (ACT)*, ACA provides policy-makers, the press and the interested public with authoritative information, analysis and commentary on arms control proposals, negotiations and agreements, and related national security issues. Comment by Paul Kerr, Research Analyst; available from <http://www.armscontrol.org/factsheets/Iran-IAEA-Issues.asp>; Internet; accessed on 10 April 2007.

<sup>8</sup>International Atomic Energy Commission, Board of Governors, Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran, 6 June 2003; available from <http://www.iaea.org/Publications/Documents/Board/2003/gov2003-40.pdf>; Internet; accessed on 9 May 2007.

<sup>9</sup>Jafarzadeh is an active Iranian exile dissident living in the US. He is linked to the NCRI, National Council of Resistance of Iran, which the US Department of State labels as a Foreign Terrorist Organization (FTO) under the umbrella of the Mujahedin-e Khalq organization, the MEK which is actively trying to overthrow the government of Iran. Philip T. Reeker, Deputy Spokesman, US Department of State, Washington, DC, 14 August 2002; available from <http://www.state.gov/p/nea/rls/rm/12727.htm>; Internet; accessed on 10 May 2007.

<sup>10</sup>Michael D. Evans and Jerome R. Coursi, *Showdown with Nuclear Iran* (Nashville, TN: Nelson Current Publishers, 2006), 166.



major nuclear facilities, promising major setback in Iran's ability to make nuclear weapons.<sup>11</sup> However, he does not provide any discussion of Iran's escalatory options including use of any other weapon of mass destruction or unleashing of terror attacks upon the US or its allies. Jafarzadeh, in his book, *The Iran Threat: President Ahamadinejad and the Coming Nuclear Crisis*, suggests that another option is to support Mujahedeen-e Khalq (MEK),<sup>12</sup> one of the Iranian government's opposition groups. The MEK is currently based in Iraq and is creating a direct linkage between the US occupation in Iraq and attacks upon Iran. The group is comprised of approximately 3,600 fighters and the group's worldwide campaign against the Iranian government stresses propaganda and occasionally uses terrorism.<sup>13</sup> Jafarzadeh believes that Iran is more afraid of the MEK than any other Iranian opposition group. According to him, Iran's leadership speaks more of the MEK than other groups combined.<sup>14</sup>

Although both are possible solutions, however, there is no guarantee that they will bring about the immediate and long standing result that is required. The limited air strikes may only cause a delay in the nuclear production capability, and it will almost assuredly produce the undesired effect of causing a large majority of the Iranian population to align themselves with the country's conservative leadership under the banner of nationalism. The MEK is listed by the US State Department as a foreign terrorist organization,<sup>15</sup> and unless a change is made in that regard, supporting them would not be in line with the US Policy. The first solution defines the problem in technical terms of facilities and ignores its political dimensions. The second embraces regime change without addressing the political consequences of embracing a terrorist organization to create instability in a major regional power or addressing second and third order effects of the

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<sup>11</sup>Ibid, 167.

<sup>12</sup>Alireza Jafarzadeh, *The Iranian Threat: President Ahmadinejad and the Coming Nuclear Crisis* (New York, NY: Palgrave McMillan Publishers, 2007), 233.

<sup>13</sup>Federation of American Scientists, Mujahedeen-e Khalq (MEK); available from <http://www.fas.org/irp/world/para/mek.htm>; Internet; accessed on 5 April 2007.

<sup>14</sup>Jafarzadeh, 233.

<sup>15</sup>Audrey Kurth Croin, CRS Report for Congress, *Foreign Terrorism Organizations* (Washington, DC: Congressional Research Service, the Library of Congress, 6 February 2004).

course of action. Before embarking upon such courses of action, one should begin with one's own political objectives and seeking to understand how these might be achieved by influencing the Iranian government's decision-making process. By understanding that process and the individuals involved will permit strategists and planners to identify better ways to influence the Iranian regime to change its policy toward nuclear activities and to abide by the United Nations Security Resolutions. The challenge to understand the Iranian government's decision-making process is formidable and will demand of policy makers that they get beyond strategic ethnocentrism.<sup>16</sup>

Therefore, the purpose of this research is to determine how Iranian governmental policy decisions are made--what individuals or agencies play a key role in decision-making; what government institutions directly or indirectly shape decisions; and what role, if any, the Iranian electorate plays in either defining the issues that receive government attention or influencing the outcome of policy debate between the members and organs of government. Without a firm knowledge of the Iranian decision-making process, all discussion of US influence is purely speculation. This research analyzes and describes four critical areas in the policy process.

First, this analysis addresses the formal Iranian Constitutional order and describes the official Islamic Republic governmental structure as presented in the constitution. This constitution, which is a product of the Islamic Revolution lead by Ayatollah Ruhollah Khomeini in 1979, combines theocratic principles and institutions with presidential/ parliamentary government forms and aspects of a national security state. This very fact makes the process of decision-making quite distinct from Western constitutional regimes, traditional Islamic government, and even Persian historical experience.

Second, the analysis outlines the various political conflicts surrounding the constitution examines the means for conflict resolutions. This process provides insight into some of Iran's internal problems and addresses the role of the Iranian populace in constitutional crises. Such

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<sup>16</sup>Ken Booth, *Strategy and Ethnocentrism* (London: Croom Helm, 1979), 15. "Ethnocentrism is an act of the viewing things in one's own group as the center of everything, and all others are scaled and rated with reference to it." Booth, 15.

insights provide some measure of the role of popular resistance to the existing constitutional order and the government. It raises the question of whether there are some governmental officials who are willing to challenge the views of the current leadership.

Third, the analysis turns to the actual power centers within Iran and examines the function and utility of formal elections in the Islamic Republic of Iran. The electoral process has become a contentious issue with the Guardian Council, which is a high chamber provided by the constitution and composed of six clerics appointed by the Supreme Leader and six jurists in various aspects of the law appointed by the Majlis (parliament) from among Muslim jurists nominated by the Judicial Power (appointed by the Supreme Leader). On a number of occasions, the Guardian Council as an upper house closely aligned with the Supreme Leader has exercised its authority to disapprove candidates for public office.

Other questions addressed in this section include: How do governing elites in various institutions relate to the public at large and the electorate in particular? Do public perceptions of the economy or any other policy issue influence the actions of political elites? How does the regime handle dissent? And is economic reform really an issue that influences Iranian decision-makers?

Fourth, internal institutions and external actors that influence Iranian decision-making are presented and analyzed. Some of the actors include the Iranian Supreme Leader and the president, as well as members or officials of the IIRCG, parliament, and National Security Council. Each of these actors in various ways influences Iranian decision making. This section provides insight into why the government of Iran has policies that are inconsistent with US interests. Insights regarding the governmental process can assist in determining whether Iran's complex system of government is amenable to information operations designed to influence the government of Iran to conform to the desires of the international community--in particular UNSCR 1696.

## FORMAL CONSTITUTIONAL ORDER

The current government structure of the Islamic Republic of Iran is comprised of the executive, legislative, judicial, and theocratic branches.<sup>17</sup> Security is also considered by some to be a fifth branch of government.<sup>18</sup> As a result of the Iran-Iraq War and the perceived need for coordinated defense and security policy the constitution was amended in 1989 to create the Supreme National Security Council.

The executive branch consists of the president, cabinet members, and Supreme Council of National Security. The legislative branch is comprised of a 290-member Parliament or Majlis. The judicial branch includes the head of judiciary, Supreme Court, and other courts. The theocratic element is comprised of the Supreme Leader, Council of Experts, Guardian Council and Expediency Council. Security includes the Internal Security Forces, General Staff of the Armed Forces, Islamic Revolutionary Guards Corps, and Regular Armed Forces.<sup>19</sup> Each branch and component institution exercise significant influence in the development, approval, and the execution of government policy. The Iranian constitution outlines specific duties and responsibilities for each component institution. Appendix A provides a detail outline of duties and responsibilities for each institution.

After the implementation of the 1979 Iranian Constitution, many problems pertaining to governance and authority surfaced. The constitution proved to have several fundamental flaws which led to problems within the government structure and from various groups outside the government. After the death of Ayatollah Khomeini in 1988, the constitution was amended in

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<sup>17</sup>Constitution of the Islamic Republic of Iran, Translated from Persian by Hamid Algar (Berkley: Mizan Press, 1980), 49 The powers of government in the Islamic Republic are vested in the legislature, the judiciary, and the executive powers, functioning under the supervision of the absolute religious Leader and the Leadership of the Ummah, in accordance with the forthcoming articles of this Constitution. These powers are independent of each other.

<sup>18</sup>H.C. Lawrence Smith, Joint Forces Command (JFCOM) J9 White Cell Intel and ONA POL Analyst, Political Summary of the System; available from <http://www.securitymgr.info/news/country/Iraq/IRANpol.doc>; Internet; accessed on 13 May 2005.

<sup>19</sup>Ibid.

order to address some of the issues and, perhaps most importantly, to consolidate more power in the position of the Supreme Leader.

## 1979 Constitution

Immediately after the 1979 Iranian Revolution, Ayatollah Khomeini, a high spiritual leader (*marja al-taqlid*, "source of imitation") to many Shi'a Muslims and an innovative theorist of Islamic political theorist, sought to put into practice his concept of "guardianship of the jurisconsult (clerical authority)" and incorporated this into the constitution of the Islamic Republic on the basis of the will of the people to establish the, necessary government institutions and outline how the new republic would be govern. Voter turnout for the passage of legislation was extremely high. The referendum to establish an Islamic State was voted on by over 98 percent of the electorate. In the aftermath of the overthrow the Shah the Ayatollah Khomeini was extremely popular, and his policies enjoyed overwhelming approval from the Iranian populace. As with any revolutionary regime, with the passage of time it became more and more apparent that the new constitution contained some contentious points/articles that needed changing or clarifying.

According to a Sami Zubaida, a Senior Lecturer in Sociology at Birkbeck College, University of London, the new ratified constitution had many problems and contradictions.<sup>20</sup> He suggested that the most important contradiction rests in the position of the Supreme Leader. Zubaida argues that even though the Iranian Constitution of 1979 identified three distinct governmental branches, they all are subject to the position of the Supreme Leader.<sup>21</sup> Zubaida states the following:

According to Article 71, the legislature can establish laws on all matters as long as those laws comport with Islamic law. However, this law-making power seems to

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<sup>20</sup>S. Waqar Hasib, The Iranian Constitution: An Exercise in Contradictions, The Fletcher School Online Journal for Issues Related to Southwest Asia and Islamic Civilizations, Article 1 (Spring 2004): 3. Available from [http://fletcher.tufts.edu/al\\_nakhlah/archives/spring2004/hasib.pdf](http://fletcher.tufts.edu/al_nakhlah/archives/spring2004/hasib.pdf); Internet; accessed on 25 April 2007.

<sup>21</sup>Ibid.

directly conflict with the powers of the Leader, enumerated in Chapter VII, Article 110, which directs the Leader to delineate the general policies of the Islamic Republic over the proper execution of the general policies and issue decrees for national referenda.<sup>22</sup>

Zubaida's argument is quite pertinent because it suggests that in the larger picture the branches, including the legislature, may only be a matter of formality because the Supreme Leader is the figure that actually determines which laws and policies will be instituted in the country. So long as Khomeini was the Supreme Leader, his authority made this issue irrelevant to the practice of government. His death and a new Supreme Leader opened an era of debate over this issue.

Similarly, William Samii argues that some of the provisions in the 1979 Constitution were vaguely worded and that the experts who drafted the Constitution struggled, perhaps argued, over the meaning of the Guardian Councils responsibility to "supervise" elections as articulated in Article 99 of the Constitution.<sup>23</sup> Samii quotes Ayatollah Hossein Ali Montazeri-Najafabadi, the president of the first Assembly of Experts which drafted the 1979 Constitution, to say, "the Article [99] does not, empower the Guardian Council to constitute a process of vetting on its own."<sup>24</sup> He also said that the term supervision was never meant to convey the notion of vetting the qualifications of candidates."<sup>25</sup>

Abu al-Hasan Bani-Sadr, Iran's first president after the revolution, also voiced his concern about the Iranian government and new constitution.<sup>26</sup> He made several candid statements that perhaps attributed to his eventual demise in government. On one occasion, Bani-Sadr made the following statement:

It is a constitution which cannot possible be applied. Whoever reads it knows very well that it contains no system at all--nobody even knows what foundation the

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<sup>22</sup>Ibid.

<sup>23</sup>A. William Samii, "Iran's Guardian Council as an Obstacle to Democracy," *Middle East Journal* 55, no. 4 (autumn 2001): 643-663.

<sup>24</sup>Ibid.

<sup>25</sup>Ibid.

<sup>26</sup>Bani Sadr was the first popularly elected president of the Islamic Republic. He assumed office with 75 percent of the electoral vote. He also gained the approval of Ayatollah Khomeini. Within seventeen months, however, he had been impeached by the Iranian Parliament, and dismissed from office.

articles are based on. It contains many contradictions. . . . it is not a constitution, but a share-out of power which cannot survive.”<sup>27</sup>

C. M. Lake provides an explanation for Bani-Sadar’s statement. Lake suggests that even though the supervision and direct control of the government would be under the power of the Supreme Leader and the Council of Guardians, the different branches of government would eventually become confused, experience conflict, and even contradict each other’s statements as they vie for power.<sup>28</sup> He further said that the President, Parliament, Prime Minister, and the various councils would not have enough power to act unilaterally. His understanding was that since they did not have enough power, they would have to build alliances with each other and other elements of government in order to function effectively. According to Bani-Sadar, this is reality because even though the president chooses the cabinet members, parliament and eventually, the Council of Guardians must give their approval to the cabinet members before they can officially hold office.<sup>29</sup> Bani-Sadar seems to suggest that each of these bodies can potentially hinder certain governmental actions and perhaps affect governmental decision making in general. He suggests that governmental decision-making will encounter serious problems because of the need to unite or balance power in order to function properly and eventually pass legislation.

Ayatollah Kazem Shariatmadari, a leading cleric during the Iranian Revolution, also voiced opposition to the new constitution.<sup>30</sup> His concern centered on the position and responsibilities of the Supreme Leader. He argued that by granting the Supreme Leader sovereign powers infringed upon the sovereign right of the nation as acknowledged in the constitution. According to him, “the constitution forbids anyone including--by implication, the Supreme

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<sup>27</sup>C. M. Lake, “The Problems Encountered in Establishing an Islamic Republic in Iran 1979-1981,” *British Society for Middle Eastern Studies* 9, no.2 (1982): 150.

<sup>28</sup>*Ibid.*

<sup>29</sup>*Ibid.*

<sup>30</sup>Ayatollah Kazem Shariatmadari was a leading Shia cleric in Iran and was instrumental in the Iranian Revolution. He helped to establish the Islamic People's Republican Party. He served as head of the Center for Islamic Study and Publications. Later he was sentenced to house arrest after stating that he knew of a plot to kill the Ayatollah Khomeini but fail to warn the proper authorities. Shariatmadar died while in under house arrest.

Leader--to take away this god-given right.”<sup>31</sup> Ayatollah Shariatmadari vehemently opposed the 1979 constitution and he did not vote for it. He believed that ultimate sovereignty should rest with the people.<sup>32</sup>

Finally, Ayatollah Montazeri,<sup>33</sup> another cleric who was responsible for drafting the original 1979 constitution, suggests that the constitution was never intended to give the Supreme Leader absolute power.<sup>34</sup> Genieve Abdo, a writer for the *Middle Eastern Journal*, interviewed the Ayatollah and recorded some telling facts about the original intent of the 1979 Constitution. Most notable are Montazeri’s understanding of the authority the Supreme Leader and supervision responsibility of the Guardian Council. According to Abdo, Montazeri suggests that the constitution never intended to accord the institution of the Supreme Leader with absolute powers. Montazeri states, “He can never be above the law, and he cannot interfere in all the affairs, particularly the affairs that fall outside his area of expertise, such as complex economic issues, or issues of foreign policy and international relations.”<sup>35</sup> In regards to the Guardian Council’s role in supervising elections, Montazeri states:

The intent of the Experts in passing this Article [99] counter acts the lack of genuine freedoms in elections under the old regime, a situation that had made a mockery of elections, and had turned the elections virtually into appointments. It was in order to prevent the repetition of such undesirable interventions in the elections by the authorities that the experts passed this article. Therefore, the aim was clearly to guarantee the health of the elections and prevent inappropriate intervention of the authorities in the election, and not to give permission to authorities to disqualify candidates and turn the one-tier election process into a two tier system.<sup>36</sup>

Montazeri suggests that elections are intended to be a genuine process that enables the electorate to vote freely. The intent of Article 99 was not to give the Council of Guardians the right to

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<sup>31</sup>R. K. Ramazani, “Iran’s Revolution: Patterns, Problems and Prospects International Affairs,” *Royal Institute of International Affairs* 56, no. 3 (Summer, 1980): 51.

<sup>32</sup>*Ibid.*

<sup>33</sup>The Grand Ayatollah who was originally designated successor for the late Iran’s Supreme Leader Ayatollah Khomeini. However because of contentious reformist policy positions such as individual freedoms and human rights, he fell out of favor with Khomeini. He is currently under house arrest, yet he remains outspoken and influential in reformist politics.

<sup>34</sup>Genieve Abdo, “Rethinking the Islamic Republic: A Conversation with the Ayatollah Hossein Ai Montazeri,” *Middle East Journal* 55, no. 1 (Winter 2001): 9-24.

<sup>35</sup>*Ibid.*

<sup>36</sup>*Ibid.*



hinder the process by vetting candidates. Nevertheless, the ambiguity of the word “supervision” in this article, the authority attributed to the position of Supreme Leader, and internal conflict led to new constitutional amendments.

## 1989 Constitutional Amendments

In 1989, Iran’s Constitution was revised. Several changes were made and new amendments were added to address some of the problems that were inherent in the earlier 1979 Constitution and to ensure that the clerical powers would be preserved. One of the amendments gave the Supreme Leader more powers including more power in deciding foreign policy. Some of the major amendments are described as:

1. The Leadership Council was removed and the Assembly of Experts for Leadership given the task of electing a single leader. This change is significant because it concentrated more power in the position of Supreme Leader. The 1979 Constitution states that if the Leadership Council is unable to find a person qualified to act as the Supreme Leader, they will appoint either three or five *marja*’s possessing the necessary qualifications for leadership and present them as members of the Leadership Council.<sup>37</sup> The revision of the constitution removed the possibility of anyone except the Supreme Leader having ultimate governing authority and that the Supreme Leader would remain at the center of the decision making circle.

2. The Assembly of Experts was given the responsibility of replacing the Supreme Leader if he is unable or incapable of performing his duties. This assembly ensures that the Supreme Leader carries out his obligations in the best interests of Iran and in accordance with Islam. They are elected by the Iranian electorate however, the Guardian Council has the responsibility of ensuring their qualifications and agendas are consistent with the principles of Islam. Since the Supreme Leader is mandated by the constitution to insure that Iran is governed according to Islamic principles, the Assembly of Experts monitors the performance of the Supreme Leader.

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<sup>37</sup>Hasib, 66.

3. The Supreme Leader is no longer required to be a supreme theologian. This new provision paved the way for Ayatollah Khamenei to legitimately serve as the Supreme Leader. Initially, Khamenei served as the President of Iran under the leadership of Ayatollah Khomeini. He was not qualified to be an ayatollah. Nevertheless, he was given the title of Ayatollah under contentious circumstances so that he could become the Supreme Leader without any delay.

4. The Expediency Council became a recognized advisory board to the Supreme Leader. Originally the council primarily functioned was to mitigate problems between the Parliament and the Council of Guardians. As a result of the new constitutional amendment, the council was given the powers to determine general policies for the Iran and to essentially veto legislation. According to one account in the *BBC Monitoring Middle East*, the Council of Expediency became the arm of the leader for determining the overall policies, and is an instrument for the leader to resolve problems within the regime that cannot be solved through routine channels.”<sup>38</sup> This council serves to strengthen the position of Supreme Leader.

5. The powers and duties of the Supreme Leader were clearly solidified. Some of them are as follows:

a. Deciding the overall policies of the country after consultation with the Council for Determination of Exigencies; Ordering referenda; and having the final say on policy issues. These responsibilities give the Supreme Leader the power to essentially direct the direction for policy development. The Supreme Leader also has the power to influence which policies will be implemented.

b. Selecting and receiving the resignation of members of the Guardian Council, head of the judiciary, director of the Radio and Television Organization, chief of army general staff, the commander of the Islamic Revolution Guards Corps, and the commanders of the armed and security forces. This power ensure the Supreme leader has control over internal and external

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<sup>38</sup>Iran Press: Questioning Expediency Council's Devising of Oversight Bylaws, *BBC Monitoring Middle East* (5 October 2005): 1.

communications, the judicial system, the electoral process and the executive branch and most importantly the military instrument of national power.

c. Having general command of the armed forces; declaring war and peace and ordering mobilization of forces. This gives the Supreme Leader authority over an instrument of power that he could use to guard his position and to keep dissidents suppressed.

d. Resolving disputes between the heads of the three branches of the state and regulating the relationship between them. This power gives the Supreme leader the right and responsibility to pass judgment matters of conflict. It also places the position of Supreme Leader above the normal branches of government.

e. Signing the decree endorsing the president on his election; dismissing the president in the national interest, should a ruling of the Supreme Court find him in breach of his duties, or a vote of parliament disqualify him. This responsibility clearly subjects the position of president to the authority of the Supreme Leader.

Although changes were made and new amendments were added to the constitution, they did not get rid of all of the political problems within the Iranian political system. Problems arose immediately after the death of Ayatollah Khomeini, who was the embodiment of the revolutionary regime. In the post-Khomeini era, Iran has continued to have power struggles among conservatives, reformists and hardliners. Moreover, such conflict has involved struggles among the office of the Supreme Leader, the president, the parliament, the Assembly of Experts and the Guardian Council. Each institution has sought to enhance its own constitutional mandate and thereby affect current policy issues.

## **HISTORY OF CONSTITUTIONAL CONFLICT**

Since the 1979 Iranian Revolution, Iran has had a series of policy conflict, which quickly took on constitutional aspects. Each Iranian President has experienced conflict with the other governmental power center, with various political factions--the hard-line, conservative and

reformist groups--seeking institutional leverage to achieve their policy goals. These conflicts began with the formulation of the initial constitution and have continued pitting various power centers against each other as conservative and reformist groups within the Iran struggled for power. Iranian Presidents, Abolhassan Bani Sadr, Mohammad Ali Rajai, Muhammad Khatami each experienced conflict within both the formal and informal political structures while in office. The constitution had left Iran a theocratic presidential/parliamentary republic without defining which institution had hegemony.

Iranian President Abolhassan Bani Sadr was impeached from office because he advocated decentralization of political power. According to one report, the downfall of Bani Sadr, involved his stance on the fundamental issue of distribution of power among the new political institutions of the Republic.<sup>39</sup> Bani Sadr also frequently clashed with the parliament. One significant issue involved the selection and appointment of a prime minister that was forced upon Bani Sadr by the parliament.<sup>40</sup> Bani Sadr and the prime minister often clashed. At the end, the Iranian Parliament exercised its powers and issued a vote of no confidence in Bani Sadr and subsequently, the Ayatollah Khomeini supported the parliament and approved Bani Sadr's dismissal.

Iran's second president, Mohammad Ali Rajai, helped champion the cause of the Iranian revolution. He even gained the support of the Iranian Republican Party and served as Prime Minister before his election. However, in August 1981, after fourteen days in office, he was assassinated by the Mojahedine-e Khalq.<sup>41</sup> His murder was a clear sign revolutionary Iran already had a counter-revolutionary party seeking to overthrow it. Rajai as a victim of counter-

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<sup>39</sup>US Library of Congress, Country Study, Bani Sadr; available from <http://countrystudies.us/iran/91.htm>; Internet; accessed on 22 April 2007.

<sup>40</sup>Ibid.

<sup>41</sup>The MEK philosophy mixes Marxism and Islam. Formed in the 1960s, the organization was expelled from Iran after the Islamic Revolution in 1979, and its primary support came from the former Iraqi regime of Saddam Hussein since the late 1980s. The MEK's history is filled with anti-Western attacks as well as terrorist attacks on the interests of the clerical regime in Iran and abroad. The MEK now advocates the overthrow of the Iranian regime and its replacement with the group's own leadership. Available from <http://www.fas.org/irp/world/para/mek.htm>; Internet; accessed on 23 April 2007.

revolutionary terrorism, became the proof needed by the conservative, pro-Khomeini camp to consolidate governmental powers among the clerics and radicalized the Islamic republic, including a crackdown on all forms of dissent.

What about Ali Khamenei, 1981-1989? Did his close relationship with Supreme Leader Khomeini make for a more stable relationship under a conservative regime? With Khomeini's death, Ali Khamenei became Supreme Leader. Ali Akbar Hashemi Rafsanjani was elected in 1989 and served to 1997 as Iran's first president of the post Khomeini era. He proved adept at balancing ties with conservatives and reformers form much of time in office and so avoiding constitutional crisis.

Muhammad Khatami, who was elected president in 1997 and served until 2005, had overt reformist sympathies and so faced many clashes with conservative and hardline forces. His campaign for president had emphasized the rule of law, democracy and the inclusion of all Iranians in the political decision-making process. In 1997, right after his election, Khatami voiced his support for the emergence of more political parties in Iran. This action would have been consistent with the provision of Article 26 of the Iranian Constitution which outlines the authority for the formation of political parties as long as they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic.<sup>42</sup> However, the effort did not gain the necessary momentum because hardliners understand that additional political parties threatened the clerical rule in Iran. Stephen C. Fairbanks in an article in the *Middle East Journal*, stated that the Islamic Republic in 1997 was still an oligarchy, controlled by a network of Shiite clerics who were disciples of Ayatollah Khomeini.<sup>43</sup> Khatami, himself tied to the clerical establishment, was also a university professor with a broad, international education and an interest in political philosophy and Persian statecraft. He quickly also face stiff opposition from the conservatives as he attempted to fulfill his election campaign promise of economic

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<sup>42</sup>Iranian Constitution 1989, Article 26.

<sup>43</sup>Stephen C. Fairbanks, "Theocracy Versus Democracy: Iran Considers Political Parties," *Middle East Journal* 52, no. 1 (Winter 1998): 28.

reform for Iran. According to Jahangir Amuzegar, a contributing writer for the *Middle East Journal*, Khatami called for the down-sizing of the state sector and reducing government controls including monopolies.<sup>44</sup> Khatami was unable to get economic reform legislation through parliament.

The reformist-conservative conflict extended to the very nature of the electoral process. The battleground became the authority of the Guardian Council over the electoral process. According to the 1989 Iranian Constitution, the Guardian Council plays an instrumental role in Iranian elections. The constitution states, “the Guardian Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the President of the Republic, the Islamic Consultative Assembly, and the direct recourse to popular opinion and referenda.”<sup>45</sup> Yet, the issue arose when the council extended their powers to include screening all electoral candidates for parliamentary, presidential and Assembly of Experts elections. The Iranian conservative that dominates the Guardian Council effectively uses the Council’s authority to disqualify reformist candidates from running for office. The conservative members of the Guardian Council thus shifted the electoral playing field to give more power to the Iranian clerical rule and the Supreme Leader.

## **WHO GOVERNS IRAN?**

These institutional conflicts raise the question of where real power lies in the Iranian political system. The American political scientist, David Easton has applied system analysis to the general question of the nature the political system. Easton analyzes the political system as the authoritative allocation of value. Demands, resources, and support enter the decision-making process and the outputs become the allocation of values, the allocation of costs, the mobilization of resources, and the maintenance of the system. The political system in this view is complex,

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<sup>44</sup>Jahangir Amuzegar, “Khatami and the Iranian Economy at Mid-Term,” *Middle East Journal* 53, no. 4 (Autumn 1999): 536.

<sup>45</sup>Iranian Constitution 1989, Article 99.

self-organizing, and inherently subject to transformation on the basis of dynamic changes in the nature and intensive of the demands placed upon the system, the level of support generated and the functionality of the decision-making process, the “black box” at the core of Easton’s model.<sup>46</sup> The Estonian model has been taken into the field of comparative politics, where political culture comprises the central mode of analysis.<sup>47</sup> This model has been applied to Iran by the late Professor Samih K. Farsoun and Professor Mekhrad Mashayekhi of Georgetown University.<sup>48</sup>

Given the complexity of the Iranian constitutional order and political system, a core question regarding the authoritative allocation of values is how the Islamic Republic’s “black box” functions. The word “govern” means to make and administer the public policy and affairs of and to exercise sovereign authority.<sup>49</sup> Using this definition, one might say that Iranian President Ahmadinejad fits the bill. Certainly he receives the global media’s attention as he that hurls explosive and controversial rhetoric towards Israel and the US. But media coverage can be deceiving. Yet, to truly understand who or what body actually governs Iran, one must to go back to the founding of the Islamic Republic of Iran when its “black box” was created.

C.M. Lake in an essay in the *British Society for Middle Eastern Studies* describes the leading actors in the 1979 Iranian Revolution. He notes that a small group of mullahs (clerics) literally commanded the obedience of a nation to oppose the shah and Western influence. He states that this group was lead by the well-respected Ayatollah Khomeini.<sup>50</sup> He notes that Khomeini had the support of the mullahs which numbered at more than 60,000 throughout Iran’s Shiite population.<sup>51</sup> Khomeini and the mullahs’ messages resonated with the populace because they not only advocated a need to redefine Islam, but also advocated freedom and a moral

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<sup>46</sup>David Easton, *Political System* (Chicago: University of Chicago Press, 1981), 2nd edition.

<sup>47</sup>Gabriel A. Almond and Sidney Verba, *The Civic Culture*. (Princeton, NJ: Princeton University Press, 1963).

<sup>48</sup>Samih K. Farsoun and Mekhrad Mashayekhi, *Iran: Political Culture in an Islamic Republic*, (London: Routledge, 1993).

<sup>49</sup>Merriam-Webster Dictionary, “Govern;” available from <http://www.m-w.com/cgi-bin/dictionary?book=Dictionary&va=govern>; Internet; accessed on 12 April 2007

<sup>50</sup>C. M. Lake, The Problems Encountered in Establishing an Islamic Republic in Iran 1979-1981, *British Society for Middle Eastern Studies* 9, no.2 (1982): 141-143.

<sup>51</sup>Ibid.

revolution against unjust powers. Lake states that the mullahs were well-organized, cohesive, and used their religious network to organize demonstrations and calls to arms to inspire the revolutionaries.<sup>52</sup> According to Lake, they were able to lead and redirect the broad social discontent with the Shah's government to a revolution under the banner of Shiite Islam. Anti-American sentiment, brought on by the resentment of American intervention into Iranian affairs and support for the Shah's government and military, had risen to a point where Khomeini and the mullahs could exploit the discontent to evoke popular outrage to enflame the sectarian uprising and to eventually drive the shah from power.<sup>53</sup> Shortly, after the fall of the shah, the religious leaders, led by the late Ayatollah Khomeini, devised and implemented a new constitution which ensured that ultimate governing authority would rest in the hands of a supreme religious leader and supported by governing bodies that would be heavily dominated by clerics.

Azadeh Niknam, a writer for the *Middle East Report*, further states that Ayatollah Khomeini asserted that the power to govern and administer the country and to enforce Shari'a law must be in the hands of a just and pious tutor well versed in the divine law.<sup>54</sup> That leader would be a faqih whose power is entrusted to him by God without any intermediaries, reflecting the proper order during the Twelfth Imam's absence.<sup>55</sup> This divine rule would become the highest Islamic authority which could establish orders which everyone, including other Jurists, must obey. Azadeh Niknam presents a quote by the Khomeini in the *Middle East Report* which

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<sup>52</sup>Ibid.

<sup>53</sup>Ibid., 145

<sup>54</sup>Azadeh Niknam, Islamization of Law in Iran: A Time of Disenchantment, *Middle East Report* no. 212, (Autumn 1999): 18-19.

<sup>55</sup>"The Twelver, majority Shia Islam is the official Shia religion of modern Iran. The Shia sect follows the Twelve Imams, Ali, Al Hasan, al-Husain, Ali Zayn, al-Abidin, Muhammad al-Baqir, Jafar al Sadiq, Musa al-Kazim Ali al-rida, Muhammad al-Taqi, Ali al-Naqi, al-Naqi, Al-Hasan al-Askari, and Muhammad al-Mahdi. The Imams are the chosen of God, who direct the destiny of humanity and preserve and guide the world. Through them lies salvation, and without them is perdition. Those who die without knowing their Imam, die as unbelievers. The intercession of the Imams to resolve human affairs, both for this life and for the afterlife, is indispensable....More over, there is a strong eschatological element maintained by the Twelvers: the twelfth Imam Muhammad al-Mahdi, disappeared when a young child, and it is believed that he will come back again near the end of time as Al-Mahdi, to herald the Day of Judgment and fill the trouble-torn earth with justice and peace. This is the Hidden Imam." John Bowker, *The Oxford Dictionary of World Religions* (New York, NY: Oxford University Press, 1997), 483. (Ithna Ashariyya)



accentuates the governing powers of the mullahs and the Supreme Leader in particular. The quote is as follows:

Governing is one of the derivatives of the omnipotent authority of the Prophet of God. It is a primary principle of Islam, overriding those that are secondary in nature, including even prayer, fasting and pilgrimage. The ruler can order the demolition of a mosque or house standing in the way of a road by reimbursing the owner... The Islamic government can unilaterally rescind and contract with the population, even one formerly approved and conforming to Sharia, if it is deemed to be against the interests of the country and Islam. The govern [sic] can forbid any act, religious or non-religious, when it is against the interests of Islam, for as long as necessary. It can temporarily forbid pilgrimage, one of the pillars of Islam, if it happens to be against the interest of the Islamic country.<sup>56</sup>

Therefore, under Khomeini, regardless of the outspoken personalities in Iran, the Supreme Leader who is structurally supported by clerical elites in key positions throughout the country would always have the final say on issues that affect the population and the future direction of Iran. Ayatollah Khomeini was careful to design a Constitution that not only gave certain powers to governmental entities and positions, but he insured that the ultimate powers to govern remained with the religious institution as embodied in the Supreme Leader.

But with the death of Khomeini the revolutionary legitimacy of the founding cleric of the Islamic Revolution left the scene. What remained were the office and the theory of its authority to be maintained, retracted or expanded by its incumbent. Given the struggle over the control of the electoral process, it would seem that elections are seen by Islamic hardliners as a potential challenge to the authority of the Supreme Leader and the hardliners' control of the political system. In this context, the question arises: Do elections still generate support for the political system or do they serve only to mobilize and not convey legitimacy?

## **DO ELECTIONS MATTER?**

From a Western perspective, elections most certainly matter. Elections help facilitate the transfer of power. Elections allow the citizenry the opportunity to cast votes on a periodical basis to change or reconfirm those by whom they wish to be governed. In Estonian terms they manifest

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<sup>56</sup>Ayatollah Ruhollah Khomeini, *Sahifeh-ye Nur* (Tehran: Ministry of Culture and Islamic Orientation Press, Vol 20, 1970), 70.

demands and generate support for the system and should lead to policy outcomes. Moreover, elections can serve as an indication of political development. Participation in the electoral process serves as a medium in which the population effectively utilizes their elective voice and makes choices about things that affect their lives.<sup>57</sup> However, in many eastern countries, specifically in Iran, the electoral process is different. In examining the Iranian Constitution, the citizenry can be a part of the political process by casting votes for the President and members of parliament and Council of Experts. On the surface it may appear that these constitutional provisions gives the electorate voting power to possibly change certain elements of the regime if they so decided. Deeper analysis reveals that electoral process may superficially benefit the electorate; its structure protects certain institutions from demands and benefits the clerical party more. Additionally, since Iran is a theocracy, Islamic principles that support Sharia Law will always govern the electoral process.

### Elections Benefit the Electorate?

Elections in Iran have allowed the citizenry to be surface participants in the political process. Some elections at a minimum give the electorate the psychological benefit of being represented by a local person. This idea is capture in the quote listed below:

By its mere existence, the legislature [parliament] creates the idea that the broad public is represented. Noting is more likely to legitimate a political system that the feeling that those who govern are representative of groups or interests in society. Because so many countries today are subdivided into political subcultures, the legislature is the critical means for creating the feeling that “one (or more) of ours is up there too!”<sup>58</sup>

As such, throughout the years, the Iranian electorate has fulfilled their responsibility of casting votes for president, parliament, and the Assembly of Experts. Yet, perhaps the better question is considering the nature of the governmental structure, whether elections matter as much now as it did in the past? Using the electoral processes under Iran’s two Supreme Leaders,

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<sup>57</sup>Ibid., 13.

<sup>58</sup>Joseph La Palombara, *Politics Within Nations* (Englewood Cliffs, NJ: Prentice-Hall, 1974), 159.

the late Ayatollah Khomeini and the current Ayatollah Khamenei as the left and right limits, the Iranian electorate has had periods in which elections were apparently beneficial.

Under the Ayatollah Khomeini's regime, Abolhassan Bani Sadr was the first democratically elected president. He was ushered into office with 75 percent of the votes that were cast by the Iranian electorate. Although he wanted to combine modernism with Islam in Iran, and initially had the support of both the Ayatollah Khomeini and the Army as its Commander in Chief, his presidency soon experienced a turn for the worse. According to Patricia Blake, a staff writer for *Time Magazine*, he was ultimately unable to withstand the fundamentalists' hostility and Khomeini's divide-and-rule tactics, which turned Iranian politics into a welter of warring factions. Bani Sadr lost more favor when he seemed too eager to work out a deal with the United States for the release of the embassy hostages.<sup>59</sup> Ultimately, even though he was elected by the populace, the Iranian President found himself ousted from power by the Ayatollah Khomeini. This action by the conservative leader of the Islamic Republic was soon followed by government-sponsored actions against dissidents to stop all opposition to the imposition of a theocratic Muslim state. The government engaged in mass arrests, and people as young as twelve years old faced firing squads. According to Blake, "Banisadr's crashing fall from power was a classic example of a revolution's destroying its young."<sup>60</sup>

The next two Iranian presidents were also elected with large percentages of the voting electorate. As stated earlier, Mohammad Ali Rajai was killed by members of an opposition group who distained the clergy-controlled Islamic Republic Party that Rajai was a member of. Sayyid Ali Khamenei became Iran's third president in 1981--the first cleric to serve as president of Iran. He was elected by 95 percent of those who voted, although many saw Khamenei's presidency as a sign that Iran was abandoning secularism policy and becoming more religious. For those who

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<sup>59</sup>Patricia Blake, "Terror in the Name of God," *Time Magazine*, 1981; available from <http://www.time.com/time/magazine/printout/0,8816,922597,00.html#>; Internet; accessed on 2 April 2007.

<sup>60</sup>Blake.

opposed the Shah and supported the Ayatollah Khomeini, the election of President Khamenei was a benefit to their agenda because Khamenei most certainly opposed negative western influences.

Elections under the Ayatollah Khamenei at times benefited the Iranian electorate even though their elective actions were at times met with opposition from the Iranian political institution. In the 1989 presidential elections, the Council of Guardians used its powers to screen out seventy-seven of the seventy-nine candidates that were registered to run for president. This very act disillusioned the parts of the electorate and their candidates--evidence that the government under the auspices of Islam sets conditions that favor some political candidates while placing others at a disadvantage. Nevertheless, the 1997 Iranian presidential elections brought electorate power to the fore--a majority of the people voted against the institutional favorite and elected the reformist Mohammad Khatami as President. Khatami, as president, initially went against the conservative Iranian government establishment and stressed seemingly forbidden institutional changes such as judicial reform, freedom of speech, political participation and rapprochement with the rest of the world.<sup>61</sup> In this case, elections certainly mattered since it provided support to the reformist camp, which brought new demands to the policy process. Such gains by reformists have been challenged by the hardliners through manipulation of institutional powers within the government structure thus changing the rules of the system and, causing moderates and reformers to eventually conform to the conservative ways of the cleric dominated political institutions.

Although Khatami was re-elected, his second term did not fare much better than his first. Juan Cole, Professor of Modern Middle Eastern and South Asia History, provides insight into the actions that proceeded the February 2005 Iranian Elections. In her article, she described how the clerical Guardian Council barred nearly one-half of the roughly 8,000 candidates for the various national and local government posts. In protest, many of the reformists in the Iranian parliament

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<sup>61</sup>James A. Bill and Robert Springborg, *Politics in the Middle East*, 5th ed. (New York, NY: Addison Wesley Longman Publishers, 2000), 290.

either staged sit-ins or resigned from their political posts. President Khatami even threatened to postpone the elections but eventually reconsidered after he received pressure from the Supreme Leader.<sup>62</sup>

In the final analysis according to Cole, Khatami's reformist supporters held 189 of the 290 seats in 2000, yet they were unable to get reform laws through the Iranian parliament. She stated that over 100 laws were struck down by the Guardian Council.<sup>63</sup> These actions by parliament and the Guardian Council were intended to help the conservative leadership retain its position in government.

### Elections Benefit the Iranian Cleric Party

Elections most certainly serve to benefit the clerics under the new rules. First, elections now exclude the active participation of those candidates who believe that Iran should not be founded on strict Islamic doctrine. However, high voter turnout in these elections suggests to Shiite Muslim leaders within and outside of Iran that the Iranian people are at least amenable to the existing process and institutions.<sup>64</sup> This benefits the Iranian clerics who use their position in the government to constantly monitor the process to ensure the overt legitimacy for a repressive regime that violates human rights. Second, Elections, however manipulated, tend to ease the pressure on Iran from the international community.<sup>65</sup> High voter turnout in the electoral process presents Iran's government with an opportunity to counter international criticism regarding potential rights abuses and repressiveness. Finally, the electoral process serves as a stabilizer to ensure the power of the cleric parties since it retains control of the institutional levers to redefine the rules to its advantage.<sup>66</sup>

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<sup>62</sup>Juan Cole, Iran's Tainted Elections, *Nation* 278. no. 8 (March 2004) WN: 0406201569006.

<sup>63</sup>Juan Cole, 7.

<sup>64</sup>Ladan Boroumand, "Iran's Peculiar Elections: The Role of Ideology," *Journal of Democracy*, 16, no. 4 (October 2005), 52.

<sup>65</sup>Ladan Boroumand, 52

<sup>66</sup>*Ibid.*

## Elections Under Sharia Law

A country such as Iran presents interesting challenges for the electoral process as it affects the political system. First, Iran is a theocracy, therefore, governed by direct principles found in the Koran. Sharia law adds yet another dynamic to the Iranian electoral process. As a theocracy, Sharia law governs every aspect of the country to include government and social affairs. Sharia law establishes rules regarding virtually every aspect of public and private life, and proscribes punishment for disobedience (such as the improper wear of clothing) and dishonorable acts (such as adultery and conversion from Islam).

There is no concept of separation of church and state under Sharia Law. James A. Bill and Robert Springborg, in an article entitled, "Politics in the Middle East," described how the complex relationship between religion and politics influences the developmental dynamic. In a world of incoherence, Islam--a religion, civilization, and way of life--claims it has the answer to the questions of identity, legitimacy, and participation that confront all believers. As a universalistic force--one that pervades all facets of human behavior--Islam is in a critically important position to influence the related challenges of modernization and political development.<sup>67</sup> From these statements, it is clear that that Islam, in particular Sharia Law, provides the governing rule for all actions in the Islamic Republic of Iran including the act of voting. The Supreme Leader and the Council of Guardians ensure that all voting processes are within the guidelines of Sharia Law and those that are placed into office meet preset prerequisites and serve the interests of Islamic republic as defined by the clerics who claim the exclusive right to interpret the law.

In summary, elections not only serve as a psychological benefit to the electorate, the act of voting allows the electorate to be a part of the controlled electoral process. Elections also serve the cleric party as it perpetuates its agendas. Because the Iranian Republic is a theocracy, any

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<sup>67</sup>Ibid., 17.

change must be justified in terms of strict adherence to Sharia Law. This idea is captured in the excerpt below.

Change dominates the history of the Middle Eastern political systems, yet radical alteration of the underlying power and authority structure has been extremely rare. The legitimating authority structure and the fundamental power patterns have consistently weathered changes of rulers, elites, and dynasties. The traditional political patterns of the Islamic Middle East survived by being in a state of constant movement. Continual modification and piecemeal revision have deterred system transformation. Political elites in the Middle East have shrewdly implemented policies both of co-optation and coercion. Selective mobility and sporadic repression have ensured the preservation of ongoing political patterns by introducing carefully apportioned doses of modifying change.<sup>68</sup>

Iran has had five presidents since the 1979 Revolution. Each was elected by popular vote of those who voted. Nevertheless, there has been little if any deviation for the original governmental aims espoused by the late Ayatollah Khomeini. It is perhaps right to conclude that the overall election process is one that is controlled by the cleric party via its dominance of key governmental institutions and the results of any election will normally serve the cause of what the cleric party decides what is best for Iran under Islam. However, because there are a range of institutions controlled by the cleric party, conflicts with its ranks lead to governmental actions that are not always agreed upon by all government officials and supported by all Iranian citizens. There have been many occasions when government officials and Iranian citizens have shown dissent with governmental actions and policy.

### **HOW DOES THE REGIME HANDLE DISSENT?**

Dissent means to differ in opinion, feeling or disagree. It also means the refusal to conform to the authority or doctrine of an established organization.<sup>69</sup> Although the Iranian government is a theocracy and the edicts issued by the Supreme Leader are supposed to be obeyed, individuals and other elements within the government structure have found ways to dissent to the actions of the Iranian government. This section addresses two perspectives on

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<sup>68</sup>“From God or Man” *Economist*; 349, no. 8091 (24 October 1998), 13.

<sup>69</sup>American Heritage Dictionary, “Dissent;” available from <http://education.yahoo.com/reference/dictionary/entry/dissent>; Internet; accessed on 12 April 2007.

dissent: that which occurs within and between the centers of political power; and that from outside the government.

## Dissent Within the Political Structure

There are several examples of dissent between and among the institutions of the government. One example occurred in August 2000 when an issue arose pertaining to the passage of a bill that would lift restrictions on the media imposed by the previous “harder-line” parliament. The Ayatollah Khamenei intervened and instructed the deputies not to amend the press law. The result was shouting and a fight in the Majlis.<sup>70</sup>

Another example happened in 2003, after the Expediency Council approved a budget for the Council of Guardians that was twice the amount that Parliament had approved, thus fostering dissent within the executive branch of government. President Khatami showed his disagreement with the policy by walking out of the 15 March Expediency Council meeting.<sup>71</sup> Approximately 150 parliamentarians also objected to the actions by the Expediency Council, citing the Constitution, which stated that budget requests including the one by the Council of Guardians should go through the executive branch, and subsequently be forwarded to the legislature for approval. The legislators threatened to boycott the Majlis and impose a work stoppage until a reversal of the decision was forthcoming.<sup>72</sup>

Another example occurred during the February 2004 parliamentary elections when the Council of Guardians exercised its powers and vetted prospective candidates. Some 3,533 out of 8,145 or 44 percent of applicants were disqualified.<sup>73</sup> Disqualification of more than 80 incumbent parliamentarians resulted in a sit-in by legislators and threats of an election boycott by some of the reformist political parties. The dissent deepened when more than 120 legislators submitted

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<sup>70</sup>“Khamene’i Suppression of Majlis Precipitates New Schism In Iran,” *Defense & Foreign Affairs Strategic Policy* 28, no. 8 (August 2000): 3, 1.

<sup>71</sup>A. William Samii, “Dissent in Iranian Elections: Reasons and Implications,” *The Middle East Journal* (Summer 2004): 58, 3; Research Library, 405.

<sup>72</sup>*Ibid.*

<sup>73</sup>*Ibid.*



their resignations and some provincial governors, as well as members of the presidential cabinet, threatened to resign.<sup>74</sup>

## Dissent Among the Electorate

According to A. William Samii, a former Bernard M. Osher Fellow at the Hoover Institution and writer for the *Middle East Journal*, the Iranian electorate has shown dissent in a variety of ways including withdrawal and apathy, active dissent (political activism) within the confines of the electoral system and even outright violence.<sup>75</sup> He says that Iranians who are compelled to vote in an electoral system in which they disapprove of will oftentimes cast spoiled or voided ballots.<sup>76</sup> This is achieved by leaving the ballot blank, defacing it or even by putting in the name of non-existent candidates.<sup>77</sup> Samii cites one example that occurred in the February 2000 elections after the Guardian Council rejected the candidacy of 23 out of 30 individuals in the Kurdish Provinces of Sanandaj, Divandareh and Kamyaran. The voter turnout was 26 percent, 27 percent, and 25 percent respectively.<sup>78</sup> In this case, the electorate showed both withdrawal and voter apathy towards the actions of the Guardian Council.

Samii cites another example which occurred during the February 2000 parliamentary elections. Dissent was shown through public protest because the electorate believed the election results were manipulated. Samii suggests that the elections were cancelled because a reformist candidate had initially won. However, a conservative candidate was subsequently declared the winner of the election. After two days, the demonstrations ended mainly due to police and military intervention.<sup>79</sup>

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<sup>74</sup>Ibid.

<sup>75</sup>A. William Samii, "Dissent in Iranian elections: Reasons and Implications," *The Middle East Journal* 58, no. 3 (Summer 2004): 418.

<sup>76</sup>A. William Samii, 418.

<sup>77</sup>Ibid.

<sup>78</sup>Ibid.

<sup>79</sup>Ibid.

In a more recent example, pro-democracy Iranian students staged demonstrations on university campuses. President Ahmandinejad responded by crushing the student movement.<sup>80</sup> Many of the leading student activists were jailed or expelled from their studies, and lecturers' appointments were canceled.<sup>81</sup> Additionally, according to Robert Trait, a writer for *Iran Focus News*,<sup>82</sup> the authorities started a program of burying the bodies of unknown soldiers on campus grounds in what student leaders said was a thinly disguised attempt to bring religious extremists into the universities on the pretext of holding "martyrs' ceremonies."<sup>83</sup> Trait further said that the students feared that such a presence could be used to suppress their activities by violent, extralegal means.<sup>84</sup>

In summary, dissent occurs within the political system, within and between the centers of power, and outside to the government and among the citizenry mainly due to discontentment with specific governmental actions. One writer stated that Iran's clerical leadership has not forgotten history. The mullahs remember exactly what caused the Shah of Iran to fall from power in February 1979: it was the climate of rising expectations created within the population.<sup>85</sup> Therefore, it seems logical to believe that the Iranian elites are not only aware of the actions of dissent among political official and the Iranian citizens, but they are also aware of public discontent concerning the economy.

## PERCEPTIONS ABOUT THE ECONOMY

A country's economic system is an interregal part of its sustainment, strength and viability. Whether it's Iran or any other country, it holds true that a weak or struggling economy

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<sup>80</sup>Robert Trait, Iranian Hawk Swoops Down on Universities; available from <http://www.iranfocus.com/modules/news/article.php?storyid=6428>; Internet; accessed on 30 March 2007.

<sup>81</sup>Robert Trait

<sup>82</sup>Iran Focus is a Tehran-based, non-profit news service provider that focuses on events in Iran, Iraq and the Middle East. It provides news and analysis on the political, social and economic situation in the region. Available at <http://www.iranfocus.com/modules/wfchannel/index.php?pagenum=1> Accessed on 15 April 2007

<sup>83</sup>Ibid.

<sup>84</sup>Ibid.

<sup>85</sup>Gregory R Copley, "Iran's New Revolution," *Defense & Foreign Affairs Strategic Policy* 27, no. 8/9 (August/September 1999): 4, 2.

will affect the public. When fewer jobs are created, unemployment grows, businesses suffer, and families find it harder to live. In Iran, the economy has been a central issue for the current and previous two presidents. Since these presidents were drawn from the governing elite, public discontent over the economy represents a major threat to the political/cleric elite.

During Khatami's presidency, there was much speculation about the condition of Iran's economy. Some, including Khatami, suggested that the economy was on the verge of collapsing without major reforms. Other indicators did not suggest imminent collapse. The Iranian economy had shown a mixed performance and even experienced 5.5 percent growth per year. Gross Domestic Product (DP) per capita had doubled over a five year period due to an increase in oil prices and a \$10 billion stabilization fund that the government created to help Iran deal with economic fluctuations. Nevertheless, there were key structural problems associated with Iran population growth the bulge of young people at its base. Iran was dependent upon its energy sector for almost all its economic growth, but there was no meaningful growth in other economic sectors. Iran was only able to create about one-half of the 800,000 new jobs needed per year, leading to large numbers of discontent youth who could find employment and so seemed to have place in Iranian society.

Underemployment and unemployment were major issues during Khatami's presidency. In May 1998, Khatami admitted publicly that the Iranian economy had some problems. Iran's economic problems included a high rate of population growth, a stagnant agricultural system, a lack of foreign financial reserves, high inflation and a bloated, inefficient, and corrupt bureaucracy.<sup>86</sup> Additionally, Khatami believed that foreign investments were important to Iran's economy. He stated that it was necessary to pass a bill that would allow more foreign investment into Iran which would help alleviate some of the dependency on the export of oil and natural gas.

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<sup>86</sup>James A. Bill, 292.

He even suggested that he would cease being president if the reform bill did not pass parliament<sup>87</sup>

In the final period of Khatami's presidency, he was accused of wasting years trying to liberalize politics while failing to improve public services and the creation of jobs for the unemployed.<sup>88</sup>

According to Clifford Kupchang in an article entitled, "Iranian Beliefs and Realities," Iran's structural economic problems are indeed serious. Iran's oil production is flat and will likely drop under Ahmadinejad's populism, and hostility toward foreign-investment capital.<sup>89</sup> Inflation and the deficit are high. Corruption is currently rampant, privatization, begun under Khatami has been brought to a halt, Wasteful subsidies impair economic efficiency, and the private sector is small with high bureaucratic barriers deterring new market entrants.<sup>90</sup> These problems can have a rippling affect on the Iranian populace. Forecasters see the Iranian economy as stable but prone towards going into a major crisis.<sup>91</sup> Kupchang suggests that Iranian economists and politicians are concerned about the fact that inflation is rapidly approaching critical levels. Some of them are calling for the impeachment of several government ministers and even the Iranian president. The following quote captures the essence of the economic situation:<sup>92</sup>

The rallying cry for the opposition is "the economy"; a clever point of attack since they know that no president no matter how wise or prudent, can solve the existing economic problems of Iran without a comprehensive restructuring of the economy; something that many special interest groups and powerful economic entities are against.<sup>93</sup>

Political leaders of Iran, including Ayatollah Ali Khamenei and Ali Akbar Hashemi Rafsanjani, admitted that they consider economic sanctions a serious threat.<sup>94</sup> In a recent article in the *BBC Monitoring*, it was reported that Iran's leadership has taken a critical reassessment of its 20-year Outlook Plan to create an Islamic economy. The 20-Year Outlook Plan is designed to

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<sup>87</sup>Neil Floyd, "IRAN: A difficult Birth the Liberalization of the Iranian economy," *Middle East Journal* no. 329 (December 2002): 48.

<sup>88</sup>Stanley Reed and Rose Brady, "Iran: Will Economic Reforms Keep the Mullahs on Top?," *Business Week* no. 3815 (13 January 2003): 57.

<sup>89</sup>Clifford Kupchang, "Iranian Beliefs and Realities," *National Interest* no. 81 (Fall 2005): 5.

<sup>90</sup>Clifford Kupchang, 5

<sup>91</sup>*Ibid.*

<sup>92</sup>*Ibid.*

<sup>93</sup>*Ibid.*

<sup>94</sup>Abbas Milani, "What Scares Iran's Mullahs?," *New York Times*, 23 February 2007, A21.

help the country to develop different economic, cultural, and social areas. This plan is based in Article 44 of the Iranian Constitution. Additionally, according to Abbas Milani, Director of the Iranian Studies Program at Stanford University, the basis of the 20 year Outlook, Iran is to develop a country which enjoys a premier economic, academic and technological position in the region and has an Islamic and revolutionary identity which is an effective and efficient approach in international relations.<sup>95</sup>

In summary, the perceptions and most importantly, realities about the Iranian economy is important to Iranian elites. Iran's past three presidents have taken great strides in attempting to enhance Iran's energy-export- dependant economy. It is also clear that structural problems in the economy have caused a severe backlash from the Iranian population. The presidency of Khatami was checkered with complaints and protests about the economy's inability to produce enough jobs and the underemployment situation in Iran. Iran's current President, Ahmadinejad also faces the daunting task of building a thriving and productive Iranian Economy. With his populist political base among Iran's urban poor, he needs to deliver more goods and services, which the Iran's economy cannot do with major structural changes. Failing to deliver to his constituents he will face opposition from the Iranian populace just like the previous Iranian presidents. These political and economic structural problems make it clear that the decision-making process for the political system will be critical to their resolution. It also makes clear that soft power applied against the Iranian Republic's decision-making process will be both complex and critical to foreign policy success for the United States and the United Nations.

## **INFLUENCES ON IRANIAN DECISION MAKING**

According to a RAND study, there are a large number of actors that are important to Iranian decision making. These multiple actors operate with a web of relations defined by formal and informal power arrangements and dominated by the ideological assumptions which undergird

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<sup>95</sup>Iran Press, Razai'I says Article 44 Will Create Islamic Economy, *BBC Monitoring Middle East*. (6 March 2007): 1.

the regime's theocratic nature. In this web, institutions and actors develop policies that vary based on the country involved, by issue, and by the issues of the day.<sup>96</sup> The study shows that different regime priorities lead to the rise and fall of different institutional agendas. Influences on Iranian decision making are both internal and external in nature.

## Internal Actors and Influences

According to Abbas Maleki of the Caspian Studies Institute, the Iranian Constitution specifies four major offices which are responsible for foreign policy: the Supreme Leader, the President, the Head of the Expediency Council, the Foreign Minister, and the Supreme Security Council.<sup>97</sup> Maleki lists the following as examples of Iranian policy decisions that were directed by the Supreme Leader:

1. Iran's stance of neutrality during the allied attack on Iraq in 1991;
2. Non-intervention in Afghan internal affairs (even after the killing of nine Iranian diplomats in Mazare Sharif by the Taliban in 1998); and
3. Support of the Palestinians in a previous the Arab-Israeli conflict.<sup>98</sup>

Maleki also provides examples of how the Iranian president, head of the Expediency Council and Foreign Minister affected foreign policy decision making. Those examples are as follows:

President: In the May 1997 elections, Mohammad Khatami was elected as the Fifth President of the Islamic Republic, having gained almost 70 percent of the votes cast. He aspired to further the development of Iran's regional and international relations. He advocated for the creating better relations between Iran and the West. He also proposed "Détente" between Iran and the Arab States. He was re-elected in 2001 to another four-year term of office.<sup>99</sup>

Head of Expediency Council: Ayatollah Akbar Hashemi Rafsanjani is a former president of Iran. He was appointed to the Head of the Expediency Council in 1997. This powerful council designs the Grand Strategy for the Iranian regime, and proposes

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<sup>96</sup>Daniel Byman, Shahram Chubin, Anoushiravan Ehteshami, and Jerrold D. Green, *Iran Security Policy in a Post-Revolutionary Era* (Santa Monica, CA: RAND Corporation, 2001-2003), 54.

<sup>97</sup>Abbas Maleki, *Decision Making in Iran's Foreign Policy: A Heuristic Approach*, International Institute for Caspian Studies; available at <http://www.caspianstudies.com/>; Internet; accessed on 5 April 2007.

<sup>98</sup>Abbas Maleki

<sup>99</sup>Ibid.

guidelines for foreign policy. Ayatollah Rafsanjani, within the framework of “Asian Identity,” advocated close ties with Russia, China, and India. He also favoured free market exchange within the global economy.<sup>100</sup>

Foreign Minister: Kamal Kharrazi, a former ambassador to the United Nations, is active in forming and sustaining bilateral relations with other countries. In 1998 he successfully negotiated with the British Foreign Secretary to normalize ties between Iran and the United Kingdom, and then proceeded to normalize contacts between Iran and the European Union. He also reorganized the Iranian Foreign Ministry by reducing to fifteen, the number of Iran’s representatives in embassies and consulate-generals abroad, from a previous total of one-hundred thirty-six.<sup>101</sup>

According to Amir Ali Nourbakhsh, a political analyst and editor of *Iran Focus Monthly*, the IRCG, parliament, the National Security Council, media and key individuals also influence Iranian foreign policy decision making. The key individuals include former president Rafsanjani who head the Council of Expediency, Hasan Rohani, a representative of Ayatollah Khamenei, on the Supreme National Security Council and Iran’s former nuclear negotiator, and Ali Ardashir Larijani, who is secretary to the Supreme National Security Council. Ali Ardashir Larijani ran as a conservative candidate for president in 2006 but lost to Ahmadinejad. Before that he led the Republican Guard in the 1980s and then held the position of Director of the Islamic Republic of Iran Broadcasting and has family ties to the clerical elite.

Nourbakhsh also suggests that the Iranian Republican Guard Corps (IRGC) and the parliament also influence foreign policy decision making. According to him, some of the discussions on the nuclear issue take place among leadership IRGC and the results of the discussions are then conveyed to Leader.”<sup>102</sup> Parliament has the power to call for referendum on policy issues. It also has the power to dismiss certain deputies and elected officials. For example Nourbakhsh states that on 10 August 2004, conservative lawmakers threatened Kharrazi with impeachment for his alleged mishandling of Iran's nuclear dossier. He was questioned why Iran had surrendered to the demands of the Europeans and the West--a reference to Iran’s meeting

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<sup>100</sup>Ibid

<sup>101</sup>Ibid

<sup>102</sup>Amir Ali Nourbakhsh, Iran’s Foreign Policy & its Key Decision Makers; available from <http://www.payvand.com/news/05/apr/1188.html>; Internet; accessed on 5 April 2007.

with France, Germany and Britain last July where the Europeans continued their efforts to have Iran stop work on uranium enrichment.<sup>103</sup> The Supreme National Security Council has the responsibility of determining the national defense-security policies within the framework of general policies laid down by the Supreme Leader. It coordinates political, intelligence, social, cultural and economic activities in relation to general defense/security policies and exploits material and non-material resources of the country for facing internal and external threats.<sup>104</sup>

The media's impact is seen through the ways writers and broadcasters present policy issues that affect both the populace and the political players. The cleric party has sought to maintain hegemonic control of Iranian mass media, especially broadcasting. During most presidential elections the various forms of television, radio and print media tend to align themselves along party lines. Both, the conservative and reformists groups receive media support to further their individual agendas and to discredit the opposing group. Nourbakhsh cites another example. He suggests that the conservative media in Iran encouraged militant actions during a domestic scene following the 7th parliamentary elections, hoping it would result in a clamp down on reforms.<sup>105</sup>

## External Actors and Influences

From an external perspective it is important to note that the Iranian Constitution makes clear Iran's preferences in foreign policy. Four groups of countries are ranked in order: (1) Iran's neighbours; (2) Muslim countries; (3) third World countries; and (4) countries that furnish political, economic, social and/or military needs of Iran.

From this perspective, Iran's external actors include countries such as Iraq, Russia, China, Turkey, Afghanistan, Pakistan, the Gulf States, Central Asia and the Caucasus, Syria and Lebanon, Israel, and Europe. For instance Russia serves as the Islamic Republic's chief strategic

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<sup>103</sup> Amir Ali Nourbakhsh.

<sup>104</sup> Ibid.

<sup>105</sup> Ibid.



partner, and a key open enabler of its nuclear ambitions.<sup>106</sup> According to the RAND study, Iran has maintained a good relationship with Russia. In the post-Cold War world, Yeltsin's Russia emerged a chief supplier of conventional arms and nuclear expertise to Iran. During the Iran-Iraq war, the Soviet Union armed Iraq and Iran actually aided the Afghan who were fighting Soviet forces.<sup>107</sup> The Iranian government has perceived Russia as an ally within the U.N. Security Council, arguing for a political process, delaying sanctions and opposing any unilateral action by the United States.<sup>108</sup> Iran continues to cultivate a relationship with China through mutual trade. Iran could regard China as a partner with Russia in restraining any unilateral actions by the US. Finally, Iran has been working aggressively to build a better relationship with Turkey. Iran and Turkey have used their historical bonds and common interests in the region and the Muslim world.<sup>109</sup> According to the RAND study, Iran and Turkey have identified the importance of the two countries' regional cooperation and exchange of views for maintaining regional security and stability. They share a concern over Kurdish ambitions to create a greater Kurdish state out of Iraqi, Turkish and Iranian territories.<sup>110</sup>

## CONCLUSION

Iran's refusal to adhere to U.N. resolutions and U.S. demands to discontinue its nuclear program makes it evident that national strategists and planners will need to know more about the Iranian decision-making process in order to develop plans to leverage soft power to influence Iran to conform to U.N. Resolutions. Should the Iranian nuclear crisis deteriorate such understanding will be equally important to understanding any shift toward violent actions by Tehran. This

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<sup>106</sup>Ibid., 54.

<sup>107</sup>Sadri A. Houman, "Trends in the Foreign Policy of Revolutionary Iran," *Journal of Third World Studies*, 4, no. 1 (1998), 4. Available from [http://findarticles.com/p/articles/mi\\_qa3821/is\\_199804/ai\\_n8783745/pg\\_5](http://findarticles.com/p/articles/mi_qa3821/is_199804/ai_n8783745/pg_5); Internet; accessed on 12 May 2007.

<sup>108</sup>Ilan Berman, Tackling the Moscow Iran Connection, *The Journal of International and Security Affairs* 10 (Spring 2006); available from <http://www.securityaffairs.org/issues/2006/10/berman.php>; Internet; accessed on 2 April 2007.

<sup>109</sup>Ilan Berman, 54.

<sup>110</sup>*Journal of Turkish Weekly*, "Turkey Attaches Special Significance to Relations with Iran"; available from <http://www.turkishweekly.net/news.php?id=42349>; Internet; accessed on 2 April 2007.

research confirms Pollack's assertion that the Iranian policy-formation process is complex and dynamic. But this challenge in no way undermines the importance of understanding how the process works. At a minimum it is important to know the basic Iranian constitutional government structure; how government institutions directly or indirectly shape decisions; and the role of the Iranian electorate. This study has examined the multiple actors, key decision makers and considerations that influence each policy decision within the Iranian government. It has not looked into the more complex issue of Iran's political culture, where historical experience, national ideology, Islamic religion and Shia identification interact to shape values

Understanding the constitutional structure is the foundation for understanding Iran's theocratic system of government. Here is very important to remember that Iran's theocratic principles give the Supreme Leader great spiritual and political power. The Iranian president, whatever his inclinations or ambitions cannot ignore this reality. The Iranian parliament has the power to pass laws but these must be within the spirit of Sharia Law. The Council of Guardians has power to veto such legislation if it does not conform to Islamic Law. When the Iranian parliament and the Council of Guardians are at odds, the Supreme Leader's Council of Expediency arbitrates the conflict and renders a judgment on the issue. The Iranian electorate plays a vital role in the political process by casting votes for the president, parliament, and Assembly of Experts. Yet, the newly instituted Guardian Council has the authority to vet all candidates for public office. This action can serve to limit the number of candidates that are eligible to run for major public office and limit the spectrum of political options open to the electorate. Even though the constitutional order outlines the various responsibilities of each element of Iranian government, the reality is that certain institutions within government exert more influence than others.

This research concluded that the central institutions of the Iranian government are the, Supreme Leader, the legislative, the judicial, the executive and the security services. Each of the other branch functions under the supervision of the Supreme Leader. The Supreme Leader utilizes the Expediency Council to assist him in executing his responsibilities as Supreme Leader. The

Guardian Council is composed his appointees and leading Islamic jurists also serve to vet the actions of parliament and candidates that aspire to the position of president.

The cleric elite of Iran have created a governmental structure to ensure their domination of the Iranian policy process. Understanding who or what group of people governs Iran is important. The research revealed that Supreme Leader governs Iran through the support of the clerical elites. Those elites are positioned in key areas throughout the country. The late Ayatollah Khomeini carefully designed the Iranian Constitution so that it not only gave certain powers to governmental entities and positions, but also insured that the ultimate powers to govern would remain with the clerical elites in non-appointed governmental positions.

The Iranian electorate is an instrumental part of the Iranian policy process; however, their electoral powers are limited. No demands are tolerated that would call into question the clerics leading role. Examining the Iranian electoral process revealed the utility of elections and the limitations of the electorate's choices. This research showed that even though elected officials are placed into office through the electoral process; often times the clerics decide who the candidates are. This is done through the actions of the Guardian Council, which vets candidates to insure that their views are consistent with Islam and their actions will be in the best interest of the Islamic Republic of Iran as defined by the clerics. It was noted that in Iran, there has been little if any deviation for the original governmental aims espoused by the late Ayatollah Khomeini. At the same time, the current Supreme Leader does not possess the revolutionary legitimacy of the founder of the Republic and so must manage factions that emerge among the clerics themselves.

The nature and causes of dissent among elected officials and the Iranian citizens is especially important in understanding the full nature of the Iranian policy process. Oftentimes there is dissent among elected officials and the Iranian citizens because of government policy decisions. The negative responses are part of the political system's feedback loop. This research indicates that such dissent as occurs within the political structure, between the centers of power and outside of the governmental structure, can reflect deeper social instability within Iran. The

Iranian leadership is not impervious to this fact but also cannot allow such disagreement to challenge the decisions, policies and laws imposed by the government. The clerics use the instruments of power within the Iranian government to punish those elected officials and the citizenry who show their open dissent in a variety of ways such as protests, resignations, and voter apathy. Oftentimes the clerics stand ready to use the military to quell any action that may threaten their rule. Additional research could be done to examine the systemic consequences of such recourse to extreme measures over time and to examine possible ways to use such repression to further undermine the government's legitimacy and force it to make adjustments to its policies towards its own population and the concerns of the international community, which both have an interest in a more open and benign political process.

Mass perception and harsh realities concerning the national economy affect Iranian policy decisions. According to this research, perceptions and realities in the sphere are important to Iranian elites. Iran's past three presidents have sought to change Iran's oil-dependant economy and foster development of other sectors of the economy. It is also clear that a depressed economy can cause a severe backlash from the Iranian population. The presidency of Khatami was checkered with complaints and protests about the economy's inability to produce enough jobs and the underemployment situation in Iran. Iran's current President, Ahmadinejad came to power with a populist appeal to improve living conditions of Iran's urban poor and now faces the daunting task of building a thriving and productive Iranian Economy. Ahmadinejad and other Iranian leaders frame the future in terms of the achievement of goals outlined Iran's 20 Outlook Plan which is supposed to create an Islamic Economy in the country. UN economic sanctions over Iran's covert nuclear program threaten the achievement of this national goal.

Influences on the Iranian policy process are both internal and external in nature. Some of the key internal actors are: the Supreme Leader, the President, the Head of the Expediency Council, the Foreign Minister, the IRGC, parliament, the Supreme National Security Council, and the media. The external influences are complex, they include major international actors and

Iranian immediate neighbors, including Iraq, Russia, China, Turkey, Afghanistan, Pakistan, the Gulf States, Central Asia and the Caucasus, Syria and Lebanon, Israel, and Europe, and most of all the “Great Satan,” the United States as the preeminent global power with the capacity to project national power in all its forms.. When developing strategies to influence Iran, these internal and external actors and factors should be taken into consideration. Influencing Iran may demand an indirect approach because of Iran’s long history of foreign intervention and popular memories of America’s association with the government of the Shah.

Finally, understanding the Iranian policy process is essential to a comprehensive understanding of Iranian actions or inaction. U.S. civilian and military strategists and planners must know, understand, and consider the key actors and factors that influence Iranian decisions. They should carefully examine Iran’s policy process in order to identify the best ways to influence the regime to seek to shape its responses toward desirable endstate for the United States, the United Nations, and the international community. In particular, the immediate goal should be to influence Iran’s policy elite to see that conforming to United Nations Security Resolutions and the demands of the international community is in its own interests and those of the larger global community.

## APPENDIX A

### Iranian Constitution

#### The Leader or Leadership Council (Supreme Leader)

##### Article 110

Following are the duties and powers of the Leadership:

1. Delineation of the general policies of the Islamic Republic of Iran after consultation with the Nation's Exigency Council.
2. Supervision over the proper execution of the general policies of the system.
3. Issuing decrees for national referenda.
4. Assuming supreme command of the armed forces.
5. Declaration of war and peace, and the mobilization of the armed forces.
6. Appointment, dismissal, and acceptance of resignation of:
  - a. the fuqaha' on the Guardian Council.
  - b. the supreme judicial authority of the country.
  - c. the head of the radio and television network of the Islamic Republic of Iran.
  - d. the chief of the joint staff.
  - e. the chief commander of the Islamic Revolution Guards Corps.
  - f. the supreme commanders of the armed forces.
7. Resolving differences between the three wings of the armed forces and regulation of their relations.
8. Resolving the problems, this cannot be solved by conventional methods, through the Nation's Exigency Council.
9. Signing the decree formalizing the election of the President of the Republic by the people. The suitability of candidates for the Presidency of the Republic, with respect to the qualifications specified in the Constitution, must be confirmed before elections take place by the Guardian Council, and, in the case of the first term [of the Presidency], by the Leadership;
10. Dismissal of the President of the Republic, with due regard for the interests of the country, after the Supreme Court holds him guilty of the violation of his constitutional duties, or after a vote of the Islamic Consultative Assembly testifying to his incompetence on the basis of Article 89 of the Constitution.
11. Pardoning or reducing the sentences of convicts, within the framework of Islamic criteria, on a recommendation [to that effect] from the Head of judicial power. The Leader may delegate part of his duties and powers to another person.

#### The Presidency

##### Article 113

After the office of Leadership, the President is the highest official in the country. His is the responsibility for implementing the Constitution and acting as the head of the executive, except in matters directly concerned with (the office of) the Leadership.

**Article 122**

The President, within the limits of his powers and duties, which he has by virtue of this Constitution or other laws, is responsible to the people, the Leader and the Islamic Consultative Assembly.

**Article 123**

The President is obliged to sign legislation approved by the Assembly or the result of a referendum, after the (related) legal procedures have been completed and it has been communicated to him. After signing, he must forward it to the responsible authorities for implementation.

**Article 124**

The President may have deputies for the performance of his constitutional duties. With the approval of the President, the first deputy of the President shall be vested with the responsibilities of administering the affairs of the Council of Ministers and coordination of functions of other deputies.

**Article 125**

The President or his legal representative has the authority to sign treaties, protocols, contracts, and agreements concluded by the Iranian government with other governments, as well as agreements pertaining to international organizations, after obtaining the approval of the Islamic Consultative Assembly.

**Article 126**

The President is responsible for national planning and budget and state employment affairs and may entrust the administration of these to others.

**Article 127**

In special circumstances, subject to approval of the Council of Ministers the President may appoint one or more special representatives with specific powers. In such cases, the decisions of his representative(s) will be considered as the same as those of the President and the Council of Ministers.

**Article 128**

The ambassadors shall be appointed upon the recommendation of the foreign minister and approval of the President. The President signs the credentials of ambassadors and receives the credentials presented by the ambassadors, of the foreign countries.

**Parliament (Majlis)****Article 62**

The Islamic consultative Assembly is constituted by the representatives of the people elected directly and by secret ballot. The qualifications of voters and candidates, as well as the nature of election, will be specified by law.

**Article 64**

There are to be two hundred seventy (*now 290*) members of the Islamic Consultative Assembly which, keeping in view the human, political, geographic and other similar factors may increase by not more than twenty for each ten-year period from the date of the national referendum of the year 1368 of the solar Islamic calendar. The Zoroastrians and Jews will each elect one representative; Assyrian and Chaldean Christians will jointly elect one representative; and Armenian Christians in the north and those in the south of the country will each elect one representative. The limits of the election constituencies and the number of representatives will be determined by law.

**Article 65**

After the holding of elections, sessions of the Islamic Consultative Assembly are considered legally valid when two-thirds of the total number of members is present. Drafts and bills will be approved in accordance with the code of procedure approved by it, except in cases where the Constitution has specified a certain quorum. The consent of two-thirds of all members present is necessary for the approve of the code of procedure of the Assembly.

**Article 69**

The deliberations of the Islamic Consultative Assembly must be open, and full minutes of them made available to the public by the radio and the official gazette. A closed session may be held in emergency conditions, if it is required for national security, upon the requisition of the President, one of the ministers, or ten members of the Assembly. Legislation passed at a closed session is valid only when approved by three-fourths of the members in the presence of the Guardian Council. After emergency conditions have ceased to exist, the minutes of such closed sessions, together with any legislation approved in them, must be made available to the public.

**Article 70**

The President, his deputies and the ministers have the right to participate in the open sessions of the Assembly either collectively or individually. They may also have their advisers accompany them. If the members of the Assembly deem it necessary, the ministers are obliged to attend. [Conversely], whenever they request it, their statements are to be heard.

**Judiciary****Article 156**

The judiciary is an independent power, the protector of the rights of the individual and society, responsible for the implementation of justice, and entrusted with the following duties:

- a. Investigating and passing judgment on grievances, violations of rights, and complaints; the resolving of litigation; the settling of disputes; and the taking of all necessary decisions and measures in probate matters as the law may determine;
- b. Restoring public rights and promoting justice and legitimate freedoms;  
Supervising the proper enforcement of laws;
- c. Uncovering crimes; prosecuting, punishing, and chastising criminals; and enacting the penalties and provisions of the Islamic penal code;  
Taking suitable measures to prevent the occurrence of crime and to reform criminals.



**Article 157**

In order to fulfill the responsibilities of the judiciary power in all the matters concerning judiciary, administrative and executive areas, the Leader shall appoint a just Mujtahid well versed in judiciary affairs and possessing prudence. and administrative abilities as the head of the judiciary power for a period of five years who shall be the highest judicial authority.

**Article 158**

The head of the judiciary branch is responsible for the following:

- a. Establishment of the organizational structure necessary for the administration of justice commensurate with the responsibilities mentioned under Article 156.
- b. Drafting judiciary bills appropriate for the Islamic Republic.
- c. Employment of just and worthy judges, their dismissal, appointment, transfer, assignment to particular duties, promotions, and carrying out similar administrative duties, in accordance with the law.

**Guardian Council****Article 91**

With a view to safeguard the Islamic ordinances and the Constitution, in order to examine the compatibility of the legislation passed by the Islamic Consultative Assembly with Islam, a council to be known as the Guardian Council is to be constituted with the following composition:

- a. six 'adil fuqaha' conscious of the present needs and the issues of the day, to be selected by the Leader.
- b. six jurists, specializing in different areas of law, to be elected by the Islamic Consultative Assembly from among the Muslim jurists nominated-by the Head of the Judicial Power.

**Article 92**

Members of the Guardian Council are elected to serve for a period of six years, but during the first term, after three years have passed, half of the members of each group will be changed by lot and new members will be elected in their place.

**Article 93**

The Islamic Consultative Assembly does not hold any legal status if there is no Guardian Council in existence, except for the purpose of approving the credentials of its members and the election of the six jurists on the Guardian Council.

**Article 94**

All legislation passed by the Islamic Consultative Assembly must be sent to the Guardian Council. The Guardian Council must review it within a maximum of ten days from its receipt with a view to ensuring its compatibility with the criteria of Islam and the Constitution. If it finds the legislation incompatible, it will return it to the Assembly for review. Otherwise the legislation will be deemed enforceable.

**Article 95**

In cases where the Guardian Council deems ten days inadequate for completing the process of review and delivering a definite opinion, it can request the Islamic Consultative Assembly to grant an extension of the time limit not exceeding ten days.

**Article 96**

The determination of compatibility of the legislation passed by the Islamic Consultative Assembly with the laws of Islam rests with the majority vote of the fuqaha' on the Guardian Council; and the determination of its compatibility with the Constitution rests with the majority of all the members of the Guardian Council.

**Article 97**

In order to expedite the work, the members of the Guardian Council may attend the Assembly and listen to its debates when a government bill or a members' bill is under discussion. When an urgent government or members' bill is placed on the agenda of the Assembly, the members of the Guardian Council must attend the Assembly and make their views known.

**Article 98**

The authority of the interpretation of the Constitution is vested with the Guardian Council, which is to be done with the consent of three-fourths of its members.

**Article 99**

The Guardian Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the President of the Republic, the Islamic Consultative Assembly, and the direct recourse to popular opinion and referenda.

## Expectancy Council

**Article 112**

Upon the order of the Leader, the Nation's Exigency Council shall meet at any time the Guardian Council judges a proposed bill of the Islamic Consultative Assembly to be against the principles of Sharia or the Constitution, and the Assembly is 'unable to meet the expectations of the Guardian Council. Also, the Council shall meet for consideration on any issue forwarded to it by the Leader and shall carry out any other responsibility as mentioned in this Constitution. The permanent and changeable members of the Council shall be appointed by the Leader. The rules for the Council shall be formulated and approved by the Council members subject to the confirmation by the Leader.

## Supreme Council for National Security

**Article 176**

1. In order to safeguarding the national interests and preserving the Islamic Revolution, the territorial integrity and national sovereignty, a Supreme Council for National Security presided over by the President shall be constituted to fulfill the following responsibilities:

- a. Determining the defense and national security policies within the framework of general policies determined by the Leader.
- b. Coordination of activities in the areas relating to politics, intelligence, social, cultural and economic fields in regard to general defense and security policies.
- c. Exploitation of materialistic and intellectual resources of the country for facing the internal and external threats.

2. The Council shall consist of: heads of three branches of the government, chief of the Supreme Command Council of the Armed Forces, the officer in charge of the planning and budget affairs, two representatives nominated by the Leader, ministers of foreign affairs, interior, and information, a minister related with the subject, and the highest ranking officials from the Armed Forces and the Islamic Revolution's Guards Corps.

3. Commensurate with its duties, the Supreme Council for National Security shall form sub-councils such as Defense Sub-council and National Security Sub-council. Each Sub-council will be presided over by the President or a member of the Supreme Council for National Security appointed by the President. The scope of authority and responsibility of the Sub-councils will be determined by law and their organizational structure will be approved by the Supreme Council for National Defense. The decisions of the Supreme Council for National Security shall be effective after the confirmation by the Leader.

## Foreign Policy

### Article 152

The foreign policy of the Islamic Republic of Iran is based upon the rejection of all forms of domination, both the exertion of it and submission to it, the preservation of the independence of the country in all respects and its territorial integrity, the defense of the rights of all Muslims, non-alignment with respect to the hegemonic superpowers, and the maintenance of mutually peaceful relations with all non-belligerent States.

### Article 153

Any form of agreement resulting in foreign control over the natural resources, economy, army, or culture of the country, as well as other aspects of the national life, is forbidden.

### Article 154

The Islamic Republic of Iran has as its ideal human felicity throughout human society, and considers the attainment of independence, freedom, and rule of justice and truth to be the right of all people of the world. Accordingly, while scrupulously refraining from all forms of interference in the internal affairs of other nations, it supports the just struggles of the mustad'afun against the mustakbirun in every corner of the globe.

### Article 155

The government of the Islamic Republic of Iran may grant political asylum to those who seek it unless they are regarded as traitors and saboteurs according to the laws of Iran.

## The Economy as a Means Not and End

1. In strengthening the foundations of the economy, the governing principle is the satisfaction of mankind's needs in the course of its growth and development. It is not (the pursuit) of other economic objectives (systems), such as centralization and the accumulation of wealth and the search for profit. In materialistic schools of thought, economic activity (the economy) is its own end. This at (different) stages of growth, economic activity is a factor working for destruction and corruption and decay. But in Islam economic activity is a means. As an ultimate (lit: waiting) means there can be no more effective (instrument) on the path towards the goal.

2. From this point of view, the Islamic program of economic activity to provide a suitable field for the emergence of human creative power in various forms, and in this way provide equal and well-balanced opportunities, and make work, for all people, and satisfy the essential requirements of the advance towards development is the responsibility of the Islamic Government.

## Economy and Financial Affairs

### **Article 44**

The economy of the Islamic Republic of Iran is to consist of three sectors: state, cooperative, and private, and is to be based on systematic and sound planning. The state sector is to include all large-scale and mother industries, foreign trade, major minerals, banking, insurance, power generation, dams and large-scale irrigation networks, radio and television, post, telegraph and telephone services, aviation, shipping, roads, railroads and the like; all these will be publicly owned and administered by the State. The cooperative sector is to include cooperative companies and enterprises concerned with production and distribution, in urban and rural areas, in accordance with Islamic criteria. The private sector consists of those activities concerned with agriculture, animal husbandry, industry, trade, and services that supplement the economic activities of the state and cooperative sectors. Ownership in each of these three sectors is protected by the laws of the Islamic Republic, in so far as this ownership is in conformity with the other articles of this chapter, does not go beyond the bounds of Islamic law, contributes to the economic growth and progress of the country, and does not harm society. The [precise] scope of each of these sectors, as well as the regulations and conditions governing their operation, will be specified by law.

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